

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

IN RE PORK ANTITRUST LITIGATION

Case No. 0:18-cv-01776 (JRT/JFD)

This Document Relates To:
ALL ACTIONS

**JOINT MOTION REGARDING
CONTINUED SEALING**

Documents have been filed under temporary seal in connection with the following motion:

Motion to Certify Class filed by Direct Purchaser
Plaintiffs

Dkt. 1318

Pursuant to LR 5.6, the parties submit this Joint Motion Regarding Continued Sealing.

| ECF. NO. | DKT. NO. OF REDACTED VERSION (IF FILED) | DESCRIPTION OF DOCUMENT | PRECISELY IDENTIFY: a) The information that the parties agree should remain sealed; b) The information the parties agree should be unsealed; and c) The information about which the parties disagree. | NONPARTY THAT DESIGNATED DOC. CONFIDENTIAL (IF ANY) | REASON WHY DOCUMENT SHOULD REMAIN SEALED OR BE UNSEALED |
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| 1320 | 1321 | Unredacted copy of Memorandum of Law in Support of Direct Purchaser Plaintiffs' Motion for Class Certification | Defendants propose that this document can be unsealed except with respect to limited redactions for confidential business analyses and methods as outlined in the attached redacted motion. | 21st Century Strategic Forums LLC | <p>Plaintiffs request that this document be unsealed as this case is of public significance, the proposed absent class members have due process interests in the evidence of defendants' wrongdoing, and the information obtained from the documents cited therein does not appear to be commercially sensitive now in 2023. Third party 21st Century Strategic Forums LLC has agreed that the documents submitted with and relied upon in this memorandum may be unsealed.</p> <p>Defendants: redacted as per sealed documents below because documents contain confidential business methods and analysis.</p> |

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| 1330 | | Unredacted copy of Expert Report of Russell W. Mangum III, Ph.D. Regarding Class Certification | The Parties, and third parties 21st Century Strategic Forums LLC and National Pork Producers Council with respect to their information, agree that the document can be unsealed. | 21st Century Strategic Forums LLC National Pork Producers Council | |
| 1324 | | Pork Powerhouses 2007 | The parties agree that this document can be unsealed. | Smithfield Foods, Inc. | |
| 1324-1 | | Email from Feng H. Walkup; Subject: Smithfield | Defendants' position: The document should remain sealed. | N/A | <p>Plaintiffs oppose sealing as this case is of public significance, the proposed absent class members have due process interests in the evidence of defendants' wrongdoing, and the document is not a trade secret and does not appear to be commercially sensitive now in 2023.</p> <p>Defendants: Contains information regarding confidential business methods and analysis.</p> |

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| 1324-2 | | Final transcripts of Smithfield Foods, Inc. 2015 3rd Quarter Results | The parties agree that this document can be unsealed. | Smithfield Foods, Inc. | |
| 1324-3 | | 21st Century Pork Meeting, 4/14/2008 | Defendants' position: The document should remain sealed. | N/A | <p>Plaintiffs oppose sealing as this case is of public significance, the proposed absent class members have due process interests in the evidence of defendants' wrongdoing, and the document is not a trade secret and does not appear to be commercially sensitive now in 2023.</p> <p>Defendants: Contains information regarding confidential business methods and analysis.</p> |

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| 1324-4 | | 21st Century Pork, September 2, 2009 | The parties agree that this document can be unsealed. | N/A | |
| 1324-5 | | Steve Weiss email; Subject: 21st Century Pork Club notes 9/09 | The parties agree that this document can be unsealed. | N/A | |
| 1324-6 | | Smithfield 2005 Annual Report | The parties agree that this document can be unsealed. | Smithfield Foods, Inc. | |
| 1324-7 | | "Fresh pork margins benefited from lower raw material costs...." | The parties agree that this document can be unsealed. | Smithfield Foods, Inc. | |
| 1324-8 | | Q4 2008 Hormel Foods Corporation Earnings Conference Call | The parties agree that this document can be unsealed. | N/A | |
| 1324-9 | | Q1 2009 Hormel Foods Corporation Earnings Conference Call | The parties agree that this document can be unsealed. | N/A | |
| 1324-10 | | Noel White email chain; Subject: RE: SFD Note (Cleveland Research) | The parties agree that this document can be unsealed. | N/A | |
| 1324-11 | | Final transcripts of Smithfield Foods Q4 2009 Earnings Conference Call | The parties agree that this document can be unsealed. | N/A | |
| 1324-12 | | Smithfield Foods Reports Fourth Quarter and Full Year Results (6/16/2009) | The parties agree that this document can be unsealed. | Smithfield Foods, Inc. | |

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| 1324-13 | | C. Larry Pope email; Subject: Board Strategy Work | Defendants' position: The document should remain sealed. | Smithfield Foods, Inc. | <p>Plaintiffs oppose sealing as this case is of public significance, the proposed absent class members have due process interests in the evidence of defendants' wrongdoing, and the document is not a trade secret and does not appear to be commercially sensitive now in 2023.</p> <p>Defendants: Designated by a nonparty to the motion as confidential because it contains information regarding confidential business methods, analysis, and strategy.</p> |
| 1324-14 | | Noel White email chain; Subject: FW: SFD transcript and thoughts | The parties agree that this document can be unsealed. | N/A | |
| 1324-15 | | Email chain from Noel White; Subject: FW: Smithfield | The parties agree that this document can be unsealed. | N/A | |
| 1324-16 | | Cleveland Research Company document; dated 7/15/2009 | The parties agree that this document can be unsealed. | N/A | |
| 1324-17 | | Email chain from Mel Davis; Subject: FW: Sow reduction (ex. 147 to Mel Davis Depo) | The parties agree that this document can be unsealed. | N/A | |

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| 1324-18 | | Special Board Meeting Notice (Clemens) | Defendants' position: The document should remain sealed. | N/A | <p>Plaintiffs oppose sealing as this case is of public significance, the proposed absent class members have due process interests in the evidence of defendants' wrongdoing, and the document is not a trade secret and does not appear to be commercially sensitive now in 2023.</p> <p>Defendants: Contains information regarding confidential business methods and analysis.</p> |
| 1324-19 | | CFC Special Board Meeting (July 31, 2009) | Defendants' position: The document should remain sealed. | N/A | <p>Plaintiffs oppose sealing as this case is of public significance, the proposed absent class members have due process interests in the evidence of defendants' wrongdoing, and the document is not a trade secret and does not appear to be commercially sensitive now in 2023.</p> <p>Defendants: Contains information regarding confidential business methods and analysis.</p> |
| 1324-20 | | Q3 2009 Tyson Foods Earnings Conference Call | The parties agree that this document can be unsealed. | N/A | |

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| 1324-21 | | Keira Ulrich email; Subject: TSN - Q3 2009 Tyson Foods Earnings Conference Call | The parties agree that this document can be unsealed. | Smithfield Foods, Inc. | |
| 1324-22 | | Final transcripts SFD Q1 2010 Smithfield Foods Earnings Conference Call | The parties agree that this document can be unsealed. | N/A | |
| 1324-23 | | Final transcripts SFD Q1 2010 Smithfield Foods Earnings Conference Call | The parties agree that this document can be unsealed. | N/A | |
| 1324-24 | | Rod Brenneman Oral Testimony, October 22, 2009 | The parties agree that this document can be unsealed. | N/A | |
| 1324-25 | | Q2 2009 Hormel Foods Corporation Earnings Conference Call | The parties agree that this document can be unsealed. | Smithfield Foods, Inc. | |
| 1324-26 | | Q3 2010 Earnings Call, Smithfield Foods | The parties agree that this document can be unsealed. | N/A | |
| 1325 | | Smithfield Earnings Release Q3 FY10 (Q/E 1/31/10) | The parties agree that this document can be unsealed. | N/A | |
| 1325-1 | | Tyson Form 10-K (Annual Report, 10/2/2010) | The parties agree that this document can be unsealed. | N/A | |
| 1325-2 | | Tyson Monthly Commodity Outlook (May 2010) | The parties agree that this document can be unsealed. | N/A | |
| 1325-3 | | Sales info on Kill/Cut | The parties agree that this document can be unsealed. | N/A | |
| 1325-4 | | Dan Brooks email chain; Subject: FW: Thursday: June 24th Pork Gross Margin/POE (3-5 p.m.) | The parties agree that this document can be unsealed. | N/A | |

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| 1325-5 | | Q2 2011 Earnings Call (Smithfield) | The parties agree that this document can be unsealed. | N/A | |
| 1325-6 | | The Changing Face of the Pork Industry (Mark Greenwood) | The parties agree that this document can be unsealed. | N/A | |
| 1325-7 | | RAB Outlook Update July 08 2010, prepared by Bob Brown 4/29/2023 | The parties agree that this document can be unsealed. | N/A | |
| 1325-8 | | 2011 Protein Fundamentals Outlook | The parties agree that this document can be unsealed. | N/A | |
| 1325-9 | | Jason Brester email chain; Subject: RE: vs. JBS | The parties agree that this document can be unsealed. | N/A | |
| 1325-10 | | Deb McConnell email chain; Subject: RE: | The parties agree that this document can be unsealed. | N/A | |
| 1325-11 | | Deb McConnell email; Subject: AGENDA for Tomorrow's MAY agristats review meeting (3-5 p.m.) | The parties agree that this document can be unsealed. | N/A | |
| 1325-12 | | Deb McConnell email ; Subject: Agristats | The parties agree that this document can be unsealed. | N/A | |
| 1325-13 | | Todd Neff email chain; Subject: FW: March 2013 Agristats review | The parties agree that this document can be unsealed. | N/A | |
| 1325-14 | | Gary Machan email chain; Subject: FW: December 2012 Agristats review | The parties agree that this document can be unsealed. | N/A | |
| 1325-15 | | Dan Leatherby email chain; Subject: RE: Greetings from Bill Hale | The parties agree that this document can be unsealed. | N/A | |

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| 1325-16 | | Rex Holstein meeting invite; Subject: Cargill Visit | The parties agree that this document can be unsealed. | N/A | |
| 1325-17 | | Tyson All-Hands Meeting June 23, 2011 | The parties agree that this document can be unsealed. | N/A | |
| 1326 | | Jerry Pfeifer email chain; Subject: FW: AFA Industry View | The parties agree that this document can be unsealed. | N/A | |
| 1326-1 | | Shane Horsley email chain; Subject: RE: Forecast next week (Dhamu Thamodaran Depo Exhibit 368) | The parties agree that this document can be unsealed. | Smithfield Foods, Inc. | |
| 1326-2 | | Shane Horsley email; Subject: Hog Call Recap 8:30 AM 5/4/12 | The parties agree that this document can be unsealed. | Smithfield Foods, Inc. | |
| 1326-3 | | SBF Weekly Update (4/6/12) | The parties agree that this document can be unsealed. | | |
| 1326-4 | | Deb McConnell email; Subject: agristats hog cost page | The parties agree that this document can be unsealed. | N/A | |
| 1326-5 | | Deb McConnell email; Subject: 03_2012 Swine Processing, ALTER RUN | The parties agree that this document can be unsealed. | N/A | |
| 1326-6 | | Primal Strategy Analysis - 2012 Quarter #3 (Clemens) | The parties agree that this document can be unsealed. | N/A | |

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| 1326-7 | | Clemens Fiscal 2013 Quarter 3 Summary | Defendants' position: The document should remain sealed. | N/A | Plaintiffs oppose sealing as this case is of public significance, the proposed absent class members have due process interests in the evidence of defendants' wrongdoing, and the document is not a trade secret and does not appear to be commercially sensitive now in 2023. Defendants: Contains information regarding confidential business methods and analysis. |
| 1326-8 | | Roel Andriessen email; Subject: 06 05 April 2013 TFM Pork Market Share | The parties agree that this document can be unsealed. | N/A | |
| 1326-9 | | Email from Tyson FYI; Subject: Tyson Completes Records Year as Fourth Quarter Earnings Increased 23% to \$0.70; Poised for Strong Growth in 2014 | The parties agree that this document can be unsealed. | N/A | |
| 1326-10 | | Mark Copa email; Subject: Agristats - Japan May-December | The parties agree that this document can be unsealed. | Smithfield Foods, Inc. | |
| 1326-11 | | Mark Copa email chain; Subject: RE: Your Weekly Swine Sales Agri Stats Report | The parties agree that this document can be unsealed. | Smithfield Foods, Inc. | |

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| 1326-12 | | Brian Taphorn email; Subject: Market Info 9:15 AM (Brian Taphorn Depo Exhibit 307) | The parties agree that this document can be unsealed. | N/A | |
| 1326-13 | | Brian Taphorn Deposition Transcripts Excerpts (pages 107, 264, 327) | The parties agree that this document can be unsealed. | N/A | |
| 1326-14 | | Brad Lorenger email chain; Subject: RE: Daily Livestock Report for 10/24/2013 -- More USDA Data Stuff, Record Fed Cattle Prices (Brian Taphorn Depo Exhibit 303) | Defendants' position: The document should remain sealed. | JBS USA Food Co. | Plaintiffs oppose sealing as this case is of public significance, the proposed absent class members have due process interests in the evidence of defendants' wrongdoing, and the document is not a trade secret and does not appear to be commercially sensitive now in 2023. Although JBS is not a party to the motion, it is an alleged co-conspirator. Defendants: Contains information regarding confidential business methods and analysis as requested by nonparty to the motion. |
| 1326-15 | | Robert Manly email chain; Subject: Re: markets | The parties agree that this document can be unsealed. | Smithfield Foods, Inc. | |
| 1326-16 | | Edited Transcript Q2 2014 Smithfield Foods Earnings Conference Call | The parties agree that this document can be unsealed. | Smithfield Foods, Inc. | |

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| 1326-17 | | Collette Kaster email chain; Subject: RE: Fresh Pork Forecast | The parties agree that this document can be unsealed. | Smithfield Foods, Inc. | |
| 1326-18 | | John French email; Subject: 8:30AM Hog Call Recap | The parties agree that this document can be unsealed. | Smithfield Foods, Inc. | |
| 1326-19 | | Collette Kaster email chain; Subject: FW: Rumor is that HRL is paying up for Hogs | The parties agree that this document can be unsealed. | Smithfield Foods, Inc. | |
| 1326-20 | | Paul L. Peil email chain; Subject: Fwd: Smithfield-East notes on harvest target reductions and Cargill notes for THIS week. (Paul Peil Depo Exhibit 87) | Defendants' position: The document should remain sealed. | N/A | <p>Plaintiffs oppose sealing as this case is of public significance, the proposed absent class members have due process interests in the evidence of defendants' wrongdoing, and the document is not a trade secret and does not appear to be commercially sensitive now in 2023.</p> <p>Defendants: Contains information regarding confidential business methods and analysis.</p> |

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| 1326-21 | | James M. Fiala email; Subject: Reduced harvest industry info | Defendants' position: The document should remain sealed. | N/A | Plaintiffs oppose sealing as this case is of public significance, the proposed absent class members have due process interests in the evidence of defendants' wrongdoing, and the document is not a trade secret and does not appear to be commercially sensitive now in 2023. Defendants: Contains information regarding confidential business methods and analysis. |
| 1326-22 | | Paul L. Peil email chain; Subject: Re: Fwd: EMAIL ADDRESS CORRECTION (Paul Peil Depo Exhibit 102) | Defendants' position: The document should remain sealed. | N/A | Plaintiffs oppose sealing as this case is of public significance, the proposed absent class members have due process interests in the evidence of defendants' wrongdoing, and the document is not a trade secret and does not appear to be commercially sensitive now in 2023. Defendants: Contains information regarding confidential business methods and analysis. |
| 1326-23 | | Bret Getzel email chain; Subject: FW: Urner Barry's Foodmarket.com News 26 August 2015 | The parties agree that this document can be unsealed. | N/A | |

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| 1326-24 | | Scott Saunders email chain; Subject: Re: 8:30AM Hog Call Recap | The parties agree that this document can be unsealed. | Smithfield Foods, Inc. | |
| 1326-25 | | Pork Merchandiser's Profit Maximizer Retail Edition March 20, 2017 | Defendants' position: The document should remain sealed. | N/A | Plaintiffs oppose sealing as this case is of public significance, the proposed absent class members have due process interests in the evidence of defendants' wrongdoing, and the document is not a trade secret and does not appear to be commercially sensitive now in 2023. Defendants: Contains information regarding confidential business methods and analysis. |
| 1326-26 | | Pork Merchandiser's Profit Maximizer Retail Edition February 20, 2017 | The parties agree that this document can be unsealed. | Smithfield Foods, Inc. | |
| 1326-27 | | December 16, 2016 Informa Economics IEG Weekly Update and Forecasts for Livestock, Meat and Poultry Professionals | The parties agree that this document can be unsealed. | N/A | |
| 1326-28 | | Shane Miller email chain; Subject: RE: US Hog Harvest Capacity utilization | The parties agree that this document can be unsealed. | N/A | |
| 1326-29 | | Tyson's Service Center President's Meeting PORK DIVISION presentation | The parties agree that this document can be unsealed. | N/A | |

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| 1326-30 | | Nick G. Schweitzer email chain; Subject: Re: Fw: Market Close Report | Defendants' position: The document should remain sealed. | N/A | <p>Plaintiffs oppose sealing as this case is of public significance, the proposed absent class members have due process interests in the evidence of defendants' wrongdoing, and the document is not a trade secret and does not appear to be commercially sensitive now in 2023.</p> <p>Defendants: Contains information regarding confidential business methods and analysis.</p> |
| 1326-31 | | Brett M. Sims email chain; Subject: Re: Fw: Tyson | Defendants' position: The document should remain sealed. | N/A | <p>Plaintiffs oppose sealing as this case is of public significance, the proposed absent class members have due process interests in the evidence of defendants' wrongdoing, and the document is not a trade secret and does not appear to be commercially sensitive now in 2023.</p> <p>Defendants: Contains information regarding confidential business methods and analysis.</p> |

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| 1326-32 | | Rod Brenneman email chain; Subject: Fwd: Clemens Family Corporation - period 8 commentary has been uploaded | The parties agree that this document can be unsealed. | N/A | |
| 1326-33 | | 21st Century Emerging Leaders Pork Forum Members Last Revised 1/20/2017 | Unseal entire document. | 21st Century Strategic Forums LLC | Counsel for 21st Century Strategic Forums LLC consents to unsealing. Plaintiffs oppose sealing as this case is of public significance, the proposed absent class members have due process interests in the evidence of defendants' wrongdoing, and the document is not a trade secret and does not appear to be commercially sensitive now in 2023. |
| 1326-34 | | 21st Century Emerging Leaders Pork Club Agenda February 21-23, 2017 | Unseal entire document. | 21st Century Strategic Forums LLC | Counsel for 21st Century Strategic Forums LLC consents to unsealing. Plaintiffs oppose sealing as this case is of public significance, the proposed absent class members have due process interests in the evidence of defendants' wrongdoing, and the document is not a trade secret and does not appear to be commercially sensitive now in 2023. |

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| 1326-35 | | Cory D. Bollum email (no subject) | Defendants' position: The document should remain sealed. | N/A | <p>Plaintiffs oppose sealing as this case is of public significance, the proposed absent class members have due process interests in the evidence of defendants' wrongdoing, and the document is not a trade secret and does not appear to be commercially sensitive now in 2023.</p> <p>Defendants: Contains information regarding confidential business methods and analysis.</p> |
| 1326-36 | | Shane Horsley email; Subject: Hormel this Saturday | The parties agree that this document can be unsealed. | Smithfield Foods, Inc. | |
| 1326-37 | | Dan Groff email chain; Subject: RE: World Pork Expo Notes | Defendants' position: The document should remain sealed. | N/A | <p>Plaintiffs oppose sealing as this case is of public significance, the proposed absent class members have due process interests in the evidence of defendants' wrongdoing, and the document is not a trade secret and does not appear to be commercially sensitive now in 2023.</p> <p>Defendants: Contains information regarding confidential business methods and analysis.</p> |

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| 1326-38 | | Ronald S. Browning email: Subject: NPPA Meeting | Defendants' position: The document should remain sealed. | N/A | <p>Plaintiffs oppose sealing as this case is of public significance, the proposed absent class members have due process interests in the evidence of defendants' wrongdoing, and the document is not a trade secret and does not appear to be commercially sensitive now in 2023.</p> <p>Defendants: Contains information regarding confidential business methods and analysis.</p> |
| 1326-39 | | James M. Fiala email chain; Subject: Re: closes (Cory Bollum Depo Exhibit 35) | Defendants' position: The document should remain sealed. | N/A | <p>Plaintiffs oppose sealing as this case is of public significance, the proposed absent class members have due process interests in the evidence of defendants' wrongdoing, and the document is not a trade secret and does not appear to be commercially sensitive now in 2023.</p> <p>Defendants: Contains information regarding confidential business methods and analysis.</p> |

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| 1326-40 | | Brian Stevens email chain; Subject: FW: Tyson Schedule Changes | Defendants' position: The document should remain sealed. | N/A | <p>Plaintiffs oppose sealing as this case is of public significance, the proposed absent class members have due process interests in the evidence of defendants' wrongdoing, and the document is not a trade secret and does not appear to be commercially sensitive now in 2023.</p> <p>Defendants: Contains information regarding confidential business methods and analysis.</p> |
| 1327 | | Arthur J. Shute email chain; Subject: Re: Tyson Schedule Changes (Cory Bollum Depo Exhibit 13) | Defendants' position: The document should remain sealed. | N/A | <p>Plaintiffs oppose sealing as this case is of public significance, the proposed absent class members have due process interests in the evidence of defendants' wrongdoing, and the document is not a trade secret and does not appear to be commercially sensitive now in 2023.</p> <p>Defendants: Contains information regarding confidential business methods and analysis.</p> |

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| 1327-1 | | Paul L. Peil email chain; Subject: Fw: Tyson Schedule Changes (Paul Peil Depo Exhibit 94) | Defendants' position: The document should remain sealed. | N/A | <p>Plaintiffs oppose sealing as this case is of public significance, the proposed absent class members have due process interests in the evidence of defendants' wrongdoing, and the document is not a trade secret and does not appear to be commercially sensitive now in 2023.</p> <p>Defendants: Contains information regarding confidential business methods and analysis.</p> |
| 1327-2 | | Corwyn "Cory" Bollum Deposition Transcripts (pages 171, 172) | Defendants' position: The document should remain sealed. | N/A | <p>Plaintiffs oppose sealing as this case is of public significance, the proposed absent class members have due process interests in the evidence of defendants' wrongdoing, and the document is not a trade secret and does not appear to be commercially sensitive now in 2023.</p> <p>Defendants: Contains information regarding confidential business methods and analysis.</p> |

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| 1327-3 | | Introduction to Agri Stats January 21, 2009 Presentation | Defendants' position: The document should remain sealed. | N/A | <p>Plaintiffs oppose sealing as this case is of public significance, the proposed absent class members have due process interests in the evidence of defendants' wrongdoing, and the document is not a trade secret and does not appear to be commercially sensitive now in 2023.</p> <p>Defendants: Contains information regarding confidential business methods and analysis.</p> |
| 1327-4 | | Introduction to Agri Stats | Defendants' position: The document should remain sealed. | N/A | <p>Plaintiffs oppose sealing as this case is of public significance, the proposed absent class members have due process interests in the evidence of defendants' wrongdoing, and the document is not a trade secret and does not appear to be commercially sensitive now in 2023.</p> <p>Defendants: Contains information regarding confidential business methods and analysis.</p> |
| 1327-5 | | University of Minnesota Data Integrity September 21, 2015 by Greg Bilbrey Agri Stats, Inc. | The parties agree that this document can be unsealed. | N/A | |

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| 1327-6 | | James Russell email chain; Subject: RE: vital signs | Defendants' position: The document should remain sealed. | N/A | Plaintiffs oppose sealing as this case is of public significance, the proposed absent class members have due process interests in the evidence of defendants' wrongdoing, and the document is not a trade secret and does not appear to be commercially sensitive now in 2023. Defendants: Contains information regarding confidential business methods and analysis. |
| 1327-7 | | James Lochner email chain; Subject: RE: Agri Stats Visit Follow-up | The parties agree that this document can be unsealed. | N/A | |
| 1327-8 | | Jerry Pfeifer email chain; Subject: RE: Agri Stats Visit Follow-up | The parties agree that this document can be unsealed. | N/A | |
| 1327-9 | | Mike Reichert email chain; Subject: RE: Agristats Red book Trend Graphs (Mark Copa Depo Exhibit 260) | The parties agree that this document can be unsealed. | Smithfield Foods, Inc. | |
| 1327-10 | | Deb McConnell email; Subject: 04_2012 Swine Profit, ALTER RUN | The parties agree that this document can be unsealed. | N/A | |
| 1327-11 | | Damon Dale Ginther Deposition Transcript Excerpts (pages 282, 401) | The parties agree that this document can be unsealed. | N/A | |

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| 1327-12 | | Matt England email chain; Subject: RE: Margin Management Meeting (Damon Ginther Depo Exhibit 60) | Defendants' position: The document should remain sealed. | N/A | Plaintiffs oppose sealing as this case is of public significance, the proposed absent class members have due process interests in the evidence of defendants' wrongdoing, and the document is not a trade secret and does not appear to be commercially sensitive now in 2023. Defendants: Contains information regarding confidential business methods and analysis. |
| 1327-13 | | Todd Neff email chain; Subject: RE: request | The parties agree that this document can be unsealed. | N/A | |
| 1327-14 | | Shane Miller email chain; Subject: RE: Sept Agri is being delivered now. We are in 1st!! Takeaways from our last meeting are also being distributed now. | The parties agree that this document can be unsealed. | N/A | |
| 1327-15 | | Deb McConnell email chain; Subject: RE: request | The parties agree that this document can be unsealed. | N/A | |
| 1327-16 | | Joe Weber email chain; Subject: RE: Weekly Sales (Mark Copa Depo Exhibit 265) | The parties agree that this document can be unsealed. | Smithfield Foods, Inc. | |
| 1327-17 | | Deb McConnell email chain; Subject: RE: Hi... | The parties agree that this document can be unsealed. | N/A | |

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| 1327-18 | | Agri Stats 2017 Swine Live Customer Action Plan | Defendants' position: The document should remain sealed. | N/A | Plaintiffs oppose sealing as this case is of public significance, the proposed absent class members have due process interests in the evidence of defendants' wrongdoing, and the document is not a trade secret and does not appear to be commercially sensitive now in 2023. Defendants: Contains information regarding confidential business methods and analysis. |
| 1327-19 | | Mark Copa email chain; Subject: Re: Fresh Sales Incentive Tracking-Agristats | The parties agree that this document can be unsealed. | Smithfield Foods, Inc. | |
| 1327-20 | | Beth Anderson email chain; Subject: FW: Opinion Letter from Robert Manly | The parties agree that this document can be unsealed. | Smithfield Foods, Inc. | |
| 1327-21 | | Joe Weber email chain; Subject: RE: CVS Seminar Follow-up Notes | The parties agree that this document can be unsealed. | Smithfield Foods, Inc. | |
| 1327-22 | | Joe Weber email chain; Subject: RE: Buy | The parties agree that this document can be unsealed. | Smithfield Foods, Inc. | |
| 1327-23 | | Donnie Smith email chain; Subject: Re: re Cargill/Tyson | The parties agree that this document can be unsealed. | N/A | |

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| 1327-24 | | James M. Fiala email chain; Subject: Triumph foods animal welfare issue | Defendants' position: The document should remain sealed. | N/A | <p>Plaintiffs oppose sealing as this case is of public significance, the proposed absent class members have due process interests in the evidence of defendants' wrongdoing, and the document is not a trade secret and does not appear to be commercially sensitive now in 2023.</p> <p>Defendants: Contains information regarding confidential business methods and analysis.</p> |
| 1613 | 1614 | Unredacted Direct Purchaser Plaintiffs' Reply in Support of Motion to Certify Class | Defendants' position: the document should be redacted with respect to confidential business analyses and methods as outlined in the attached redacted motion. | N/A | <p>Plaintiffs request that this document be unsealed as this case is of public significance, the proposed absent class members have due process interests in the evidence of defendants' wrongdoing, and the information obtained from the documents cited therein does not appear to be commercially sensitive now in 2023.</p> <p>Defendants: Redacted as per sealed documents below because document contains confidential business methods and analysis.</p> |

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| 1616-1 | | September 19, 2022 letter regarding Olean's Rule 30b6 deposition | The parties agree that this document can be unsealed. | N/A | |
| 1616-2 | | Deposition Transcript of Laila Haider, PH.D. (pages 38, 39, 48, 65, 66, 67, 75, 76, 77, 119, 120, 129, 130, 131, 132, 133, 134, 136, 137, 139, 140, 142, 144, 145, 146, 150, 151, 152, 153, 154, 155, 156, 310, 311) | The parties agree that this document can be unsealed. | N/A | |
| 1616-3 | | Deposition Transcript of Dr. James Mintert (pages 22, 29, 30, 31, 32, 96, 97, 98, 99, 100, 101, 143) | The parties agree that this document can be unsealed. | N/A | |
| 1616-4 | | Smithfield Market Outlook February 2009 | The parties agree that this document can be unsealed. | Smithfield Foods, Inc. | |
| 1616-5 | | Roel Andriessen email chain; Subject: RE: Chilled Lock out scenario | The parties agree that this document can be unsealed. | N/A | |
| 1616-6 | | Dhamu Thamodaran email chain; Subject: RE: Potential impact of increased exports (sic) to China (Dhamu Thamodaran Depo Exhibit 383) | The parties agree that this document can be unsealed. | Smithfield Foods, Inc. | |
| 1616-7 | | Roel Andriessen email; Subject: 04 30 SFD China Pork Sales | The parties agree that this document can be unsealed. | N/A | |
| 1616-8 | | Direct Purchaser Plaintiffs' Second Amended 26(a)(1) Disclosures | The parties agree that this document can be unsealed. | N/A | |

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| 1617 | | Unredacted Expert Reply Report of Russell W. Mangum III, Ph.D. Regarding Class Certification | The parties agree that this document can be unsealed. | N/A | |
| 1445 | N/A | Defendants' Memorandum in Opposition to Direct Purchaser Plaintiffs' Motion for Class Certification | Defendants propose that this document can be unsealed except with respect to limited redactions for confidential business analyses and methods as outlined in the attached redacted motion. | N/A | Plaintiffs request that this document be unsealed as this case is of public significance, the proposed absent class members have due process interests in the evidence of defendants' wrongdoing, and the information obtained from the documents cited therein does not appear to be commercially sensitive now in 2023. Defendants: redacted as per sealed documents below because documents contain confidential business methods and analysis. |
| 1446 | 1447 | Declaration of Allison M. Vissichelli In Support Of Defendants' Memorandum in Opposition to Direct Purchaser Plaintiffs' Motion for Class Certification | The parties agree that this document can be unsealed. | N/A | |
| 1446-1 | 1447-1 | Email exchange between Smithfield Foods and Wal-Mart dated 2015 | Defendants' position: The document should remain sealed. | Smithfield Foods, Inc. | Plaintiffs request that this document be unsealed as this case is of public significance, the proposed absent class members have due process interests in the evidence of |

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| | | | | | <p>defendants' wrongdoing, and the information obtained from the documents cited therein does not appear to be commercially sensitive now in 2023. Although Smithfield is not a party to the motion, it is an alleged co-conspirator.</p> <p>Defendants: Designated by a nonparty to the motion as confidential because it contains information regarding a third party's confidential pricing demands, business methods, analysis, and strategy.</p> |
| 1446-2 | 1447-2 | Deposition Transcript of Ferraro Foods 30(b)(6) (Wendy Romm) (pages 1, 13, 14, 15, 79, 80, 81, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 133, 134, 135, 147, 148, 149, 150, 213, 214, 215) | The parties agree that this document can be unsealed. | N/A | |
| 1446-3 | 1447-3 | Internal Tyson email exchange dated 2017 | The parties agree that this document can be unsealed. | N/A | |
| 1446-4 | 1447-4 | Internal Clemens email dated May 5, 2014 | The parties agree that this document can be unsealed. | N/A | |
| 1446-5 | 1447-5 | Email and meeting agenda from Smithfield Foods to Wal-Mart dated August 25, 2015 | Defendants' position: The document should remain sealed. | Smithfield Foods, Inc. | Plaintiffs request that this document be unsealed as this case is of public significance, the proposed absent class members have due process |

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| | | | | | <p>interests in the evidence of defendants' wrongdoing, and the information obtained from the documents cited therein does not appear to be commercially sensitive now in 2023. Although Smithfield is not a party to the motion, it is an alleged co-conspirator.</p> <p>Defendants: Designated by a nonparty to the motion as confidential because a third party originally marked the contents as confidential and the document contains that third party's confidential product specs, business methods, analysis, and strategy.</p> |
| 1446-6 | 1447-6 | Deposition Transcript of Olean Wholesale Grocery Co. 30(b)(6) (Scott McCann) (pages 1, 82, 83, 84, 85, 86, 87, 88, 89, 90, 121, 122, 123, 130, 131, 132, 133, 172, 173, 174, 175, 176) | The parties agree that this document can be unsealed. | N/A | |
| 1446-7 | 1447-7 | Deposition Transcript of John Gross & Co. 30(b)(6) (Scott Wagner) (pages 1, 16, 17, 18, 27, 28, 29, 30, 31, 40, 41, 42, 43, 44, 45, 55, 56, 57) | The parties agree that this document can be unsealed. | N/A | |
| 1446-8 | 1447-8 | Deposition Transcript of Maplevale Farms Co. | The parties agree that this document can be unsealed. | N/A | |

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| | | 30(b)(6) (Julie Dunderdale) (pages 1, 21, 22, 23, 31, 32, 33, 45, 46, 47, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 69, 70, 71, 72, 125, 126, 127) | | | |
| 1446-10 | 1447-10 | Deposition Transcript of Noel White (Tyson) (pages 1, 228, 229, 230, 231) | The parties agree that this document can be unsealed. | N/A | |
| 1446-12 | 1447-12 | JBS Presentation on Sales Pricing | Defendants' position: The document should remain sealed. | JBS USA Food Co. | <p>Plaintiffs request that this document be unsealed as this case is of public significance, the proposed absent class members have due process interests in the evidence of defendants' wrongdoing, and the information obtained from the documents cited therein does not appear to be commercially sensitive now in 2023. Although JBS is not a party to the motion, it is an alleged co-conspirator.</p> <p>Defendants: Contains information regarding confidential business methods and analysis as requested by nonparty to the motion.</p> |
| 1446-13 | 1447-13 | Tyson Presentation on Pork Pricing | The parties agree that this document can be unsealed. | N/A | |

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| 1446-16 | 1447-16 | Deposition Transcript of Russell Mangum (pages 1, 492, 483, 494, 495) | The parties agree that this document can be unsealed. | N/A | |
| 1446-17 | 1447-17 | Deposition Transcript of Maplevale Farms Co. 30(b)(6) (Douglas Neckers) (pages 1, 79, 80, 81) | The parties agree that this document can be unsealed. | N/A | |
| 1446-18 | 1447-18 | Deposition Transcript of Ronald Freed (Clemens) (pages 1, 91, 92, 93, 94) | The parties agree that this document can be unsealed. | N/A | |

Dated: February 17, 2023

Respectfully submitted,

/s/ Joseph C. Bourne

W. Joseph Bruckner (MN #0147758)
Brian D. Clark (MN #0390069)
Joseph C. Bourne (MN #0389922)
Arielle S. Wagner (MN #0398332)
Stephen M. Owen (MN #0399370)
Sarah M. Lundberg (MN #0390026)
LOCKRIDGE GRINDAL NAUEN P.L.L.P.
100 Washington Avenue South, Suite 2200
Minneapolis, MN 55401
Telephone: (612) 339-6900
Facsimile: (612) 339-0981
wjbruckner@locklaw.com
bdclark@locklaw.com
jcbourne@locklaw.com
aswagner@locklaw.com
smowen@locklaw.com
smlundberg@locklaw.com

Bobby Pouya (Pro Hac Vice)
Clifford H. Pearson (Pro Hac Vice)
Daniel L. Warshaw (Pro Hac Vice)
Michael H. Pearson (Pro Hac Vice)
PEARSON WARSHAW, LLP
15165 Ventura Boulevard, Suite 400
Sherman Oaks, CA 92403
Telephone: (818) 788-8300
Facsimile: (818) 788-8104
cpearson@pwfirm.com
dwarshaw@pwfirm.com
bpouya@pwfirm.com
mpearson@pwfirm.com

Melissa S. Weiner (MN #0387900)
PEARSON WARSHAW, LLP
328 Barry Avenue South, Suite 200
Wayzata, MN 55391
Telephone: (612) 389-0600
mweiner@pwfirm.com

Bruce L. Simon (Pro Hac Vice)
Benjamin E. Shiftan (Pro Hac Vice)
Neil Swartzberg (Pro Hac Vice)
PEARSON WARSHAW, LLP
555 Montgomery Street, Suite 1205
San Francisco, CA 94111
Telephone: (415) 433-9000
Facsimile: (415) 433-9008
bsimon@pwfirm.com
bshiftan@pwfirm.com
nswartzberg@pwfirm.com

***Co-Lead Class Counsel for Direct Purchaser
Plaintiffs***

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|--|---|
| | <p> <u>By: /s/ Tiffany Rider Rohrbaugh</u> Rachel J. Adcox (<i>pro hac vice</i>) Tiffany Rider Rohrbaugh (<i>pro hac vice</i>) Lindsey Strang Aberg (<i>pro hac vice</i>) Brandon Boxbaum (<i>pro hac vice</i>) Allison Vissichelli (<i>pro hac vice</i>) Keith Holleran (<i>pro hac vice</i>) AXINN, VELTROP & HARKRIDER LLP 1901 L Street NW Washington, DC 20036 (202) 912-4700 radcox@axinn.com trider@axinn.com lstrang@axinn.com bboxbaum@axinn.com avissichelli@axinn.com kholleran@axinn.com </p> <p> Jarod Taylor (<i>pro hac vice</i>) AXINN, VELTROP & HARKRIDER LLP 90 State House Square Hartford, CT 06103 (860) 275-8109 jtaylor@axinn.com </p> <p> Kail Jethmalani (<i>pro hac vice</i>) Craig M. Reiser (<i>pro hac vice</i>) Andrea Rivers (<i>pro hac vice</i>) Victoria J. Lu (<i>pro hac vice</i>) AXINN, VELTROP & HARKRIDER LLP 114 West 47th Street New York, NY 10036 (212) 728-2200 kjethmalani@axinn.com creiser@axinn.com arivers@axinn.com vlu@axinn.com </p> <p> David P. Graham (#0185462) DYKEMA GOSSETT PLLC </p> |
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| | <p>4000 Wells Fargo Center 90 South Seventh Street Minneapolis, MN 55402 (612) 486-1521 dgraham@dykema.com</p> <p><i>Counsel for Tyson Foods, Inc., Tyson Prepared Foods, Inc. and Tyson Fresh Meats, Inc.</i></p> |
| <p><u>/s/ Mark L. Johnson</u> Mark L. Johnson (#0345520) Davida S. McGhee (#0400175) GREENE ESPEL PLLP 222 South Ninth Street, Suite 2200 Minneapolis, MN 55402 (612) 373-0830 mjohnson@greeneespel.com dwilliams@greeneespel.com</p> <p>Daniel Laytin, P.C. (<i>pro hac vice</i>) Christa Cottrell, P.C. (<i>pro hac vice</i>) KIRKLAND & ELLIS LLP 300 North LaSalle Chicago, IL 60654 (312) 861-2000 daniel.laytin@kirkland.com christa.cottrell@kirkland.com</p> <p><i>Counsel for Clemens Food Group, LLC and The Clemens Family Corporation</i></p> | <p><u>/s/ Craig S. Coleman</u> Richard A. Duncan (#0192983) Aaron D. Van Oort (#0315539) Craig S. Coleman (#0325491) Emily E. Chow (#0388239) Isaac B. Hall (#0395398) FAEGRE DRINKER BIDDLE & REATH LLP 2200 Wells Fargo Center 90 South Seventh Street Minneapolis, MN 55402-3901 (612) 766-7000 richard.duncan@faegredrinker.com aaron.vanoort@faegredrinker.com craig.coleman@faegredrinker.com emily.chow@faegredrinker.com isaac.hall@faegredrinker.com</p> <p>Jacob D. Bylund (<i>pro hac vice</i>) Stephanie A. Koltookian (<i>pro hac vice</i>) Robert C. Gallup (#0399100) FAEGRE DRINKER BIDDLE & REATH LLP 801 Grand Ave., 33rd Floor Des Moines, IA 50309 (515) 248-9000 jacob.bylund@faegredrinker.com stephanie.koltookian@faegredrinker.com robert.gallup@faegredrinker.com</p> |

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| | <p>Jonathan H. Todt (<i>pro hac vice</i>) FAEGRE DRINKER BIDDLE & REATH LLP 1500 K Street NW, Suite 1100 Washington, DC 20005 (202) 842-8800 jonathan.todt@faegredrinker.com</p> <p>John S. Yi (<i>pro hac vice</i>) FAEGRE DRINKER BIDDLE & REATH LLP One Logan Square, Suite 2200 Philadelphia, PA 19103 (215) 988-2700 john.yi@faegredrinker.com</p> <p><i>Counsel for Hormel Foods Corporation</i></p> |
| <p><u>/s/ Peter H. Walsh</u> Peter H. Walsh (#0388672) HOGAN LOVELLS US LLP 80 South Eighth Street, Suite 1225 Minneapolis, MN 55402 (612) 402-3000 peter.walsh@hoganlovells.com</p> <p>William L. Monts (<i>pro hac vice</i>) Justin W. Bernick (<i>pro hac vice</i>) HOGAN LOVELLS US LLP Columbia Square 555 Thirteenth Street, NW Washington, D.C. 20004 (202) 637-5600 william.monts@hoganlovells.com justin.bernick@hoganlovells.com</p> <p><i>Counsel for Agri Stats, Inc.</i></p> | <p><u>/s/ Christopher A. Smith</u> Aaron Chapin (#0386606) Christopher A. Smith (<i>pro hac vice</i>) Tessa K. Jacob (<i>pro hac vice</i>) A. James Spung (<i>pro hac vice</i>) Jason Husgen (<i>pro hac vice</i>) Sarah L. Zimmerman (MDL registered) Kate Ledden (MDL registered) Tanner Cook (MDL registered) HUSCH BLACKWELL LLP 190 Carondelet Plaza, Ste 600 St. Louis, MO 63105 Telephone: (314) 480-1500 aaron.chapin@huschblackwell.com chris.smith@huschblackwell.com tessa.jacob@huschblackwell.com james.spung@huschblackwell.com jason.husgen@huschblackwell.com sarah.zimmerman@huschblackwell.com kate.ledden@huschblackwell.com tanner.cook@huschblackwell.com</p> <p><i>Counsel for Triumph Foods, LLC</i></p> |

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|---|--|
| <p><u>/s/ William L. Greene</u> William L. Greene (#0198730) Peter J. Schwinger (#0388909) William D. Thomson (#0396743) STINSON LLP 50 South Sixth Street, Suite 2600 Minneapolis, MN 55402 (612) 335-1500 william.greene@stinson.com peter.schwinger@stinson.com william.thomson@stinson.com</p> <p>J. Nicci Warr (<i>pro hac vice</i>) STINSON LLP 7700 Forsyth Blvd., Suite 1100 St. Louis, MO 63105 (314) 863-0800 nicci.warr@stinson.com</p> <p><i>Counsel for Seaboard Foods LLC and Seaboard Corporation</i></p> | |
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